



Subdivision Waiver Application Form

433 Hay Street, Fayetteville, North Carolina 28301

Meeting Date: _____ Approved/Denied

910-433-1612 email: mbryant@ci.fay.nc.us

Case #: _____ Date Submitted: _____ Fee: \$700.00 Received By: _____

Notes:

1. A pre-application conference is mandatory prior to submission of an application for a waiver.
2. A waiver application may be filed to request relief from the subdivision standards in the Code – Article 30-6.
3. Applicants are required to demonstrate that: There are special circumstances or conditions beyond the owner's control (such as exceptional topographical conditions, narrowness, shallowness, or the shape of the land); and That literal application of the standards would result in undue and unique hardship to the owner; and That the deviation would not be contrary to the public interest.)
4. The Planning Commission and City Council will review the case in a quasi-judicial manner, no hearsay evidence will be considered, and no ex parte communication is allowed. All persons wishing to appear before the Boards should be prepared to give sworn testimony on relative facts and **must sign up to speak prior to the start of the meeting. The applicant or someone representing the applicant should attend the meeting to present evidence.**
5. Please reference Article 30-2 Section C. 15. Waiver - of the Code for more information.
6. A final plat subject to an approved subdivision plan shall include a notation describing the approved waiver.

1. General Development Information

Development Name:	
Development Address:	
Parcel Identification Number:	
Section of the Code from which the waiver is being requested:	

2. Written Description of Request – Answer all the questions under this section. Attach additional sheets as needed.

A) Identify what standard(s) or requirement(s) of the subdivision Code that is subject to this waiver request.

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The Waiver Standards state – A waiver application shall be approved only upon a finding that **all** of the following standards are met. Please complete the following three (3) questions to indicate the evidence that all the required standards are applicable to your property and/or situation.

B. (1) Strict application of the Ordinances subdivision requirements result in practical difficulties and unnecessary hardships; and (Provide a written description of any hardship(s) and how such hardship(s) is not self-imposed.)

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B. (2) Any practical difficulties or unnecessary hardships result from topographical or other conditions peculiar to the land, and are not the result of the actions of the landowner; and
(Indicate if the property has exceptional topographic conditions or some other extraordinary situation or condition that makes it unlike other properties in the immediate vicinity. Is the property exceptionally narrow, shallow or does it have an exceptional size or shape that existed prior to the effective date of this ordinance?)

B. (3) The Subdivision Waiver would not destroy the intent of the requirements being waived.
(Describe how the waiver is in harmony with the general purpose and intent of the ordinance, and preserves its spirit, is it the minimum waiver possible to make responsible use of the property.)

C) Provide a written description of all applicable conditions of approval associated with the subdivision waiver (attach additional sheets if necessary)

3. Submittal Requirement Checklist

(Submittals should include 2 copies of listed items, unless otherwise stated.)

<input type="checkbox"/>	Pre-application conference completed
<input type="checkbox"/>	Subdivision Waiver Application Form
<input type="checkbox"/>	Copy of an approved Certificate of Appropriateness (COA) if located within the HLO
<input type="checkbox"/>	Application fee of \$700.00
<input type="checkbox"/>	A subdivision plan that has been reviewed and tentatively approved by the TRC
<input type="checkbox"/>	Easement types, locations, and dimensions
<input type="checkbox"/>	Detailed description of hardship(s) and how the hardship is not self-imposed
<input type="checkbox"/>	Any additional information determined to be necessary by the Development Services Department

Primary Point of Contact Information

Primary Point of Contact Name:			
Mailing Address:		Fax No.:	
Phone No.:		Email:	
Signature of Owner/Applicant:		Date:	